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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/779,748	02/09/2001	Kunio Nomura	Q63076	5874
7590	09/23/2004		EXAMINER	
SUGHRUE, MION, ZINN MACPEAK & SEAS, PLLC 2100 Pennsylvania Avenue, N.W. Washington, DC 20037-3202			MILIA, MARK R	
ART UNIT	PAPER NUMBER		2622	

DATE MAILED: 09/23/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	09/779,748	NOMURA, KUNIO	
	Examiner Mark R. Milia	Art Unit 2622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) Responsive to communication(s) filed on \_\_\_\_\_.
- 2a) This action is **FINAL**.      2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-15 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 09 February 2001 is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \*    c) None of:
  1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
 Paper No(s)/Mail Date \_\_\_\_\_
- 4) Interview Summary (PTO-413)  
 Paper No(s)/Mail Date. \_\_\_\_\_
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: \_\_\_\_\_

**DETAILED ACTION**

***Priority***

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which have been placed of record in the file.

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-15 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S.

Patent No. 5875035 to Motosugi et al.

Regarding claim 1, Motosugi discloses an image forming method for forming an image on a printable object on the basis of image data obtained by editing images of a plurality of originals, the method comprising the steps of: determining an image composited area of a first original by indicating coordinates of the image composited area (see column 2 lines 47-65), extracting an image extracted area of a second original to produce image data pertaining to the image extracted area by indicating coordinates of the image extracted area (see column 7 lines 48-51 and column 17 lines 17-25), editing the image data so as to composite the image extracted area of the second original into the image composited area of the first original in order to obtain post-editing image data for representing a composite image based on the first and second originals (see column 16 line 54-column 18 line 5), and forming the composite image on a

printable object in accordance with the post-editing image data (see column 5 lines 7-10).

Regarding claim 9, Motosugi discloses an image forming system, comprising: a coordinate input device which is capable of indicating an image composited area of a first original and an image extracted area of a second original (see column 7 lines 48-51), a command input device which is capable of designating an editorial process in which the image extracted area of the second original is edited relative to the image composited area of the first original (see column 16 lines 55-62), a scanner section which reads image data on the first and second originals (see column 3 lines 7-23), an editing device which edits image data pertaining to the image extracted area of the second original so as to composite the image extracted area of the second original into the image composited area of the first original, in accordance with the editorial process designated by the command input device, in order to obtain post-editing image data for representing a composite image based on the first and second originals (see column 16 line 55-column 17 line 13), and print device which forms the composite image on a printable object in accordance with the post- editing image data (see column 3 line 24-column 4 line 38 and column 5 lines 7-10).

Regarding claim 2, Motosugi discloses the system discussed above in claim 1, and further discloses a step of designating an editorial process in which the image extracted area of the second original is edited relative to the image composited area of the first original, wherein the editing step is performed in accordance with the editorial process (see column 16 line 57-column 17 line 2).

Regarding claim 3, Motosugi discloses the system discussed above in claim 1, and further discloses wherein, in a case where a portion or a whole of an image of the second original is extracted, and is composited into the first original, a size of an image composited area of the first original is compared the editing step with size of an image extracted area of the second original, thereby effecting a scaling process so as to fit an image located in the image extracted area to the image composited area (see column 17 lines 2-13).

Regarding claim 4, Motosugi discloses the system discussed above in claim 3, and further discloses wherein the image extracted area of the second original is read in accordance with a scaling factor obtained as result of the scaling process (see column 16 line 54-column 17 line 5).

Regarding claim 5, Motosugi discloses the system discussed above in claim 1, and further discloses a step of storing a portion or a whole of image data pertaining to the respective first and second originals, wherein a storage image obtained in the storing step is read in the editing step in order to composite a read image into the image composited area of the first original (see column 16 line 54-column 17 line 13).

Regarding claim 6, Motosugi discloses the system discussed above in claim 3, and further discloses a step of storing a portion or a whole of image data pertaining to the respective first and second originals, wherein a storage image obtained in the storing step is read in the editing step in order to composite a read image into the image composited area of the first original (see column 16 line 54-column 17 line 13).

Regarding claim 7, Motosugi discloses the system discussed above in claim 4, and further discloses a step of storing a portion or a whole of image data pertaining to the respective first and second originals, wherein a storage image obtained in the storing step is read in the editing step in order to composite a read image into the image composited area of the first original (see column 16 line 54-column 17 line 13).

Regarding claim 8, Motosugi discloses the system discussed above in claim 1, and further discloses a step of storing a portion or a whole of image data pertaining to the respective first and second originals, wherein, in a case where a storage image of the second original obtained in the storing step is composited into the first original, a size of an image composited area of the first original is compared in the editing step with a size of an image extracted area from which the storage image has been extracted, thereby effecting a scaling process so as to fit an extracted storage image to the image composited area (see column 16 line 54-column 18 line 5).

Regarding claim 10, Motosugi discloses the system discussed above in claim 9, and further discloses wherein, in a case where a portion or a whole of the second original is extracted, and is composited into the first original, the editing device compares a size of an image composited area of the first original indicated by the coordinate input device with a size of an image extracted area of the second original, thereby effecting a scaling process so as to fit an image located in the image extracted area to the image composited area (see column 16 line 62-column 17 line 13).

Regarding claim 11, Motosugi discloses the system discussed above in claim 10, and further discloses wherein the editing device performs a process for causing the

scanner section to read the second original in accordance with a scaling factor obtained as a result of the scaling process (see column 16 line 54-column 18 line 5).

Regarding claim 12, Motosugi discloses the system discussed above in claim 9, and further discloses a storage device which stores a portion or a whole of image data pertaining to the respective first and second originals read by the scanner section, wherein the editing device reads a storage image from the storage device, and composites a read image into the image composed area the first original (see column 16 line 54-column 17 line 13).

Regarding claim 13, Motosugi discloses the system discussed above in claim 10, and further discloses a storage device which stores a portion or a whole of image data pertaining to the respective first and second originals read by the scanner section, wherein the editing device reads a storage image from the storage device, and composites a read image into the image composed area the first original (see column 16 line 54-column 17 line 13).

Regarding claim 14, Motosugi discloses the system discussed above in claim 11, and further discloses a storage device which stores a portion or a whole of image data pertaining to the respective first and second originals read by the scanner section, wherein the editing device reads a storage image from the storage device, and composites a read image into the image composed area the first original (see column 16 line 54-column 17 line 13).

Regarding claim 15, Motosugi discloses the system discussed above in claim 9, and further discloses a storage device which stores a portion or a whole of image data

pertaining to the respective first and second originals read by the scanner section, wherein, in a case where a storage image read from the storage device is composited into the first original, the editing device compares a size of an image composited area of the first original indicated by the coordinate input device with a size of an image extracted area from which the storage image has been extracted, thereby effecting a scaling process so as to fit an extracted storage image to the size of the image composited area of the first original (see column 16 line 54-column 18 line 5).

***Conclusion***

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. To further show state of the art refer to U.S. Patent numbers 5530793 and 5459819 (Watkins et al.), 6151421 (Yamada), 6034785 (Itoh), and 5309245 (Hayashi et al.).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark R. Milia whose telephone number is (703) 305-1900. The examiner can normally be reached M-F 8:00am-4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Coles can be reached at (703) 305-4712. The fax number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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